PP

v.

GOH HOE CHEONG & ANOTHER CASE

HIGH COURT MALAYA, SHAH ALAM
KN SEGARA J
[CRIMINAL TRIALS NO: 45-46-2002 & 45-47-2002]
27 SEPTEMBER 2006

CRIMINAL LAW: *Dangerous Drugs Act 1952 - Section 39(B)(1)(a) - Trafficking drugs - Allegation of - Whether proved - Failure to arrest suspects and seize bags then and there - Whether inexplicable - Whether fingerprints of accused persons found on packages containing drugs - Prosecution's failure to prove the aspect of physical checking in of bags by first and second accused - Whether baggage tags and respective baggage claim tags could be admitted in evidence - Evidence Act 1950, s. 90(A) - Whether complied with by prosecution - Whether there was admissible evidence - Whether prosecution failed to adduce prima facie evidence - Whether first and second accused acquitted and discharged*

EVIDENCE: *Documentary evidence - Computer generated documents - Whether admissible - Evidence Act 1950, s. 90(A) - Whether complied with*

CRIMINAL LAW: *Prosecution - Close of prosecution - Prima facie case - Evidence - Whether there was admissible evidence that bags containing drugs (P6 and P23) in custody and control of first and second accused - Failure to adduce prima facie evidence - Whether prosecution failed to establish possession of dangerous drugs - Whether first and second accused acquitted and discharged*

The first accused and second accused were separately charged for an offence under s. 39B(1)(a) Dangerous Drugs Act 1952, punishable with death under s. 39B(2). The first accused was alleged to be trafficking in 1808.2 grammes of dangerous drugs (1578.1 grammes heroin and 230.1 grammes monoacetylmorphines) and the second accused was alleged to be trafficking in 1765.79 grammes of dangerous drugs (1493.99 grammes heroin and 271.8 grammes monoacetylmorphines). Both the accused were alleged to have committed the offence on the same date, time and place. Hence there was a joint trial. Briefly, on 8 September 2001, SP8 received information that three male Chinese leaving for Paris that night were suspected to be carrying drugs. Based on that

information, at about 8pm, SP8 proceeded to brief a team of police personnel with a plan to nab the three suspects when they were about to board their flight. At 9pm, SP8 and his police team took their respective positions at KLIA, as pre-planned, for an operation to arrest the alleged drug traffickers. SP8 testified that at 10.01pm, 10.12pm and 10.19pm respectively, the three suspects had checked in for departure at counter E14. At all times, SP9 had identified the suspects and had tied a blue ribbon on the handle of each of the bags checked in by the suspects. After the three suspects had left the check in counter and proceeded for the departure gate of their flight at the Satellite Building, the police personnel followed but did not arrest them, either before or after the three suspects had passed through Immigration/Passport Control. The three suspects were not even stopped from boarding the aerotrain to proceed to the Satellite Building. At 10.30pm, SP8 had received a call from SP7, who informed him that the bags of the three suspects had arrived at the 'baggage assembly area', prior to loading on to the plane. At 10.35pm, SP8 detained the three suspects and gathered them together in front of Gate C14. SP8 went on to testify that after he had detained the three suspects, he took them below the aerobridge and found SP7 and D/Kpl Shanmuganathan, together with three bags. Subsequently they were brought to the Pejabat Narkotik where, according to SP8's testimony, he informed the first and second accused that he would conduct a physical body examination as well as an examination of their belongings and that C/I Azhar would conduct a similar search on the third suspect (SP10). SP8 testified that after he failed to recover any drugs when he did a body search on the first accused, he used a key that was in the right trouser pocket of the first accused to open a bag and made a careful examination of the interior of the bag (P6). SP8 testified that he found, concealed, behind a layer of the interior of the bag which he had to cut open, eight black plastic packages containing white powdery substance, suspected to be heroin. SP8 then carried out a body search of the second accused where he did not recover any drugs on the person of the accused. He then carried out an examination of a black bag (P23) and noticed stitches on the outer back portion of the bag. Subsequently, he took a knife and cut the stitches where he recovered six black plastic packages containing substance suspected to be heroin. The issues that arose were (1) whether

there was admissible evidence before the court and (2) whether the prosecution have adduced *prima facie* evidence that the first and second accused had custody and control of the bags P6 and P23 respectively.

Held (acquitting and discharging first and second accused):

(1) The police had allowed the suspects to board the aerotrain to proceed to the departure gate to board their scheduled flight without a hint of any imminent arrest by SP8. In the meantime, SP8 had left his position at the vicinity of the check-in counter E14 and proceeded to Gate C14 Bangunan Satelit KLIA. He did not seize the bags of the suspects, checked in, from the airport personnel who processed the check-in, at the check-in counter itself, before he left his position and proceeded to Gate C14. His conduct was baffling, to say the least, as he had received information about an alleged drug trafficking as early as 5.30pm, and had witnessed the suspects check-in their bags. SP8's failure or reluctance to seize the bags and arrest the suspects there and then, at the check in counter E14, was inexplicable. (para 17)

(2) There was no evidence given by the authority responsible for the management of the airport or the air carrier concerned, and consequently, serious doubts have surfaced as to whether the bags (P6 and P23) were in fact bags checked in at counter E14 by the first and second accused, notwithstanding the carrier's baggage tags were found attached to the bags, and the baggage claim tags attached to the respective tickets of the first and second accused, found in their possession. In fact and in law, in the absence of any express provisions as soon as a passenger checks in his bag at the check-in counter for his scheduled flight, the said bag was in the custody and control of the carrier or its agents, until the same is claimed by the passenger, and the bag thereupon delivered to the passenger. (paras 22 & 23)

(3a) There was no evidence at all that the packages suspected to contain drugs found in the bags P6 and P23 had been concealed by the first and second accused respectively. There were no fingerprints of either the first or second accused on any of the packages found in P6 and P23. There was no witness from MAS and/or the authority managing

KLIA called by the prosecution to prove the aspect of physical checking-in of the bags of passengers, particularly the purported check-in bags of P6 and P23 by the first and second accused, as well as the bag of Seok Hann (SP10). Therefore, the computer generated documents, namely the baggage tags P6A, P23A and the respective baggage claim tags P16A and P31A, could not be admitted in evidence unless s. 90A Evidence Act 1950 was complied with by the prosecution. (para 32)

(3b) No certificate was tendered to the court signed by a person who either before or after the production of the documents by the computer was responsible for the management of the operation of that computer, or for the conduct of the activities for which that computer was used. In the circumstances, P6A, P23A, P16A and P31A were inadmissible as evidence. Therefore, there was no admissible evidence before this court that bags P6 and P23 were in fact the very same bags checked in by the first and second accused respectively, at the Main Terminal Building and subsequently recovered/seized/detained by C/I Azhar (SP7) and/or SP8 at the Satelite Building. (para 32)

(4) At the close of the prosecution's case, there was no admissible evidence that bags P6 and P23 were in the custody and control of the first and second accused, either at the time they were arrested by SP8 at the departure Gate C14, or at any time before the bags were checked-in. The facts of the prosecution's case clearly showed that at the time of their arrest, neither the first accused nor the second accused had physical possession of P6 and P23 and that neither of them had made any claim to possession of P6 and P23 from the carrier on which they were scheduled to depart, at any time before they were arrested. (para 33)

(5) As the prosecution have failed to adduce *prima facie* evidence that the first and second accused had custody and control of the bags P6 and P23 respectively, it followed that the prosecution have failed to establish possession of the dangerous drugs found in the secret compartments of the respective bags seized by the police at the Satellite Building KLIA. In the circumstances, the first and second accused were acquitted and discharged, on the respective charge against them, without their defence being called. (para 34)

Legislation referred to:
Dangerous Drugs Act 1952, s. 39B(1)(a), (2)
Evidence Act 1950, s. 90A

For the accused - Ng Aik Guan; M/s Ng Aik Guan & Co
For the prosecution - Salim Soib

Reported by Suhainah Wahiduddin

JUDGMENT

KN Segara J:

[1] Goh Hoe Cheong (hereinafter referred to as 1st accused) and Lau Liang Siang (hereinafter referred to as 2nd accused) were separately charged for an offence under s. 39B(1)(a) Dangerous Drugs Act 1952 punishable with death under s. 39B(2) of the same Act. The 1st accused was alleged to be trafficking in 1808.2 grammes of dangerous drugs (1578.1 grammes heroin and 230.1 grammes monoacetylmorphines). The 2nd accused was alleged to be trafficking in 1765.79 grammes of dangerous drugs (1493.99 grammes heroin and 271.8 grammes monoacetylmorphines). Both the accused were alleged to have committed the offence on the same date, time and place (see charge sheets exh. P2 and P3). Hence there was a joint trial.

[2] On 8 September 2001, ASP Maidu bin Abu Bakar (SP8) was the Ketua Bahagian Narkotik, Pejabat Narkotik, Main Terminal Building, KLIA, Sepang. At about 5.30pm, he received information by phone from a member of the public about 3 male Chinese who were expected to leave for Paris that night. The 3 male Chinese were suspected to be carrying drugs. The informant also supplied the names of the 3 male Chinese to SP8 as follows:

1) Seok Hann, 2) Goh Hoe Cheong and 3) Lau Lian Siang.

[3] Based on that information, at about 8pm, SP8 proceeded to brief a team of police personnel at Pejabat Narkotik, Aras 3, Main Terminal Building, with a plan to nab the 3 suspects when they were about to board their flight to Paris. The police personnel briefed were:

[4] C/I Azhar (SP7), D/S/M Kamarudin, D/S/M Johari, D/S Chew, D/S Hadzir, D/Kpl Kamarulzaman, D/Kpl Shanmuganathan, D/Kpl Krishnan (SP9), D/L/W Seriwani and D/L/W Rohaya.

[5] At the briefing, SP8 revealed the names of the suspects to SP9. Having already ascertained that the check-in counter for the flight to Paris that night was E14, at Aras 5, Main Terminal Building, SP8 instructed SP9 to be stationed at the check-in counter E14. SP9 was instructed to ascertain and identify the suspects when they check-in for their flight at that counter. SP8 also instructed SP9 to raise his hand, as a signal, the moment each targeted suspect checks-in. SP8 had further instructed SP9 to tie a blue ribbon to the bags checked-in by the suspects.

[6] C/I Azhar (SP7) and D/Kpl Shanmugam were instructed by SP8 to position themselves below Gate C14, at the Satellite Building, KLIA Sepang. They were to ensure that the bags of the 3 suspects had arrived at the baggage assembly point, for loading on to the aircraft on which the suspects were scheduled to fly.

[7] D/S/M Johari, D/S Chew, D/S Hadzir, D/L/Kpl Seriwani, D/Sgt Kamarulzaman and D/L/Kpl Rohaya were instructed to position themselves at Aras 5, Main Terminal Building, KLIA, where the check-in counters for the various flight departures are located.

[8] D/S/M Johari and D/S Chew were further instructed by SP8 to follow the 1st suspect, identified by SP9 at the check-in counter, to Gate C14 Bangunan Satelit, KLIA.

[9] D/S Hadzir and D/Kpl Seriwani were instructed to follow the 2nd suspect, identified by SP9 at the check-in counter, to Gate C14 Bangunan Satelit, KLIA.

[10] D/Sgt Kamarulzaman and D/L/Kpl Rohaya were instructed to follow the 3rd suspect, identified by SP9 at the check-in counter, to Gate C14, Bangunan Satelit, KLIA.

[11] After the briefing, at about 9pm, SP8 and his police team took their respective positions at KLIA, as pre-planned, for an operation to arrest the alleged drug traffickers, about whom SP8 had received information earlier in the evening. SP8 communicated with his team during the operation, whenever necessary, *via* hand-phone.

[12] I pause here, to observe that I fail to comprehend why SP8 did not plan for an immediate arrest of the suspects, and seizure of their bags, at the moment of check-in, that is, before the respective bags were moved away from the check-in counter E14, and placed on the baggage conveyor belt at counter E14 for loading on to the appropriate plane, at the Satellite Building.

[13] SP8 and his team were not attired in police uniform. Nevertheless, their presence and operation that day, to nab the 3 suspects, would surely have become an open secret to airport and airline personnel, as SP8's devious plan and strategy, to nab the suspects, called for police presence in places they would not be normally seen on regular duty, for example, behind/beside the check-in desk/baggage conveyor belt, at Aras 5, MTB or at the "baggage assembly point" in the Satellite Building, immediately before the bags are loaded to the respective aircraft, parked at the nose-bridge or the tarmac of the Satellite Building.

[14] SP8 positioned himself about 20 meters from SP9. He testified that D/S/M Johari, D/S Chew, D/Sgt Hadzir, D/L/Kpl Seriwani, D/Kpl Kamarulzaman and D/Kpl Rohaya were all positioned close to him. SP8 testified that the he could see what took place at the check-in counter E14, from his position. SP8 testified, that at 10.01pm, SP9 had identified the first suspect, who had checked-in for departure at counter E14 and that SP9 had raised his hand to indicate this. He further testified that SP9 had tied a blue ribbon on the handle of the bag checked-in by the 1st suspect. S/M Johari and D/Sgt Chew immediately followed the 1st suspect the moment he left the check-in counter, to proceed to the departure gate at the Satellite Building.

[15] SP8 testified, that at 10.12pm, SP9 identified the 2nd suspect. SP9 raised his hand to signal the event and also tied a ribbon on the handle of the bag checked-in by the 2nd suspect. Immediately, thereafter, D/Sgt Hadzir and L/Kpl Seriwani followed the 2nd accused when he left the check-in counter. Then, at 10.19pm, SP9 identified the 3rd suspect at the check-in counter. Again, SP9 raised his hand to signal his identification of the 3rd suspect to SP8, and he also tied a blue ribbon on the handle of the bag checked-in by the 3rd suspect. D/Sgt Kamarulzaman followed the 3rd suspect as soon as he left the check-in counter, to proceed for the departure gate at the Satellite Building.

[16] SP8 testified that he saw the 3 suspects check-in their bags. He also testified that he telephoned C/I Azhar (SP7) and informed him that the 3 suspects had checked-in their bags.

[17] After the 3 suspects had left the check-in counter and proceeded for the departure gate of their flight at the Satellite Building, the police personnel, hot on their heels, did not arrest them, either before or after the 3 suspects had passed through Immigration/Passport Control. The 3 suspects were not even stopped from boarding the aero-train to proceed to the Satellite Building to board their flight! Obviously, there was no evidence of any possession of drugs on their person or hand-carry, and that is why, in all probability, the police did not arrest them. The police merrily, and very correctly, allowed them to board the aero-train to proceed to the departure gate to board their scheduled flight, without a hint of any imminent arrest by SP8! In the meantime, SP8 left his position at the vicinity of the check-in counter E14 and proceeded to Gate C14 Bangunan Satelit, KLIA. He did not seize the bags of the 3 suspects, checked-in, from the airport personnel who processed the check-in, at the check-in counter itself, before he left his position and proceeded to Gate C14. His conduct is baffling, to say the least, as he had received information about an alleged drug trafficking as early as 5.30pm, and had witnessed the suspects check-in their bags. SP8's failure or reluctance to seize the bags and arrest the suspects there and then, at the check-in counter E14, is inexplicable!

[18] Upon his arrival at departure Gate C14, SP8 found the 3 suspects near Gate C14. His police team, assigned to trail them from the check-in counter, were also within sight around the suspects.

[19] SP8 went up to the 3 suspects and identified himself as a police officer. He told them that they would be detained and examined, together with their belongings, as he had information concerning drugs. I am dumbfounded! Why was all this not done at the first available opportunity, that is, as soon as the 3 suspects were identified at the check-in counter?

[20] SP8 detained the 1st suspect, and based on his passport, he was identified as Goh Hoe Cheong. Inside the passport, he found a boarding pass, flight ticket and baggage claim tag. SP8 then identified himself to the 2nd suspect. Based on the passport, in the possession of the 2nd suspect, he was identified as Lau Lian

Siang. He had a boarding pass, flight ticket and a baggage claim tag. Finally, SP8 identified to the 3rd suspect. Based on his passport, he was identified as Seok Hann. The 3rd suspect also had in his possession a boarding pass, a flight ticket and a baggage claim tag.

[21] SP8 detained the 3 suspects at 10.35pm. He gathered them together in front of Gate C14. He testified that he did not carry out any body search on the suspects at that time. SP8 testified, that at 10.30pm he had received a call from SP7, who informed him that the bags of the 3 suspects had arrived at the "baggage assembly area", prior to loading on to the plane.

[22] Now, I pause again. Where is this "baggage assembly area"? There were no photographs of the "baggage assembly area" or any sketch plan of the "baggage assembly area" to which the 3 suspects were taken by SP8 after he had detained them at Gate C14. No personnel from the airport authority managing KLIA or from MAS testified about his "baggage assembly area". How did the bags, which were checked-in at the Main Terminal Building, arrive at this "baggage assembly area"? Who, if any, were the persons who physically handled the bag after it was checked-in until it arrived at the assembly area? Who are the persons who have access, lawful or otherwise, to the bags, immediately after the bags are checked-in until their arrival at the purported assembly area, at the Satellite Building? Was the possibility of the blue ribbons being re-tied on different, but similar looking bags, by third parties excluded? Likewise, have the police eliminated the possibility of the baggage tags (P6A and P23A) being removed and re-attached to similar looking bags, after the bags had been checked-in at counter El4, but before their arrival at the "baggage assembly area"? There was no evidence given by the authority responsible for the management of the airport or the air carrier concerned, and consequently, serious doubts have surfaced as to whether the bags (P6 and P23) are in fact the bags checked-in at counter E14 by the 1st and 2nd accused, notwithstanding the carrier's baggage tags were found attached to the bags, and the baggage claim tags attached to the respective tickets of the 1st and 2nd accused, found in their possession.

[23] In fact and in law, in the absence of any express provisions, as soon as a passenger checks – in his bag at the check-in counter for his scheduled flight, the said bag is in the custody and control of the carrier and or its agents, until the same is claimed by the passenger, and the bag, thereupon, delivered to the passenger (upon his arrival at his destination or otherwise).

[24] SP8 went on to testify, that after he had detained the 3 suspects at Gate C14, he took them below the aerobridge and found SP7 and D/Kpl Shanmuganathan, together with 3 bags. SP8 then brought the 3 suspects, together with the 3 bags, to the Pejabat Narkotik, Aras 3 Main Terminal Building, KLIA. It is to be noted that the 3 suspects were not asked by SP8 to identify and pick out their bags from amongst all the bags assembled for loading on that particular flight to Paris, at the purported baggage assembly area. The 3 bags had already been identified and separated, from amongst other bags, by SP7, as that of the 3 suspects, even before SP8 had brought the 3 suspects down from departure Gate C14! However, Seok Hann (SP10) testified under cross-examination, that he was not taken down from Gate C14 together with 1st and 2nd accused to see several bags. Instead, he testified that 4 or 5 bags were brought to the place where they were after their arrest. He testified that the police brought bags which were already opened, and the contents were mainly clothes. SP10 testified:

> Benar, selepas check-in saya naik aero-train dan membelibelah. Dari masa saya check-in sehingga saya ditangkap tidak kurang satu jam lebih. Saya ditangkap ditepi duty free shop.
>
> (P45E dirujuk kepada saksi)
>
> Saya tidak ditangkap berdekatan C12, C14. Benar, semasa saya ditangkap saya bukan berdekatan OKT1 dan OKT2. Benar OKT1 dan OKT2 dibawa kemudian ke tempat saya berada selepas ditangkap. Selepas OKT1 dan OKT2 dibawa bersama dengan saya, **kami tidak dibawa turun satu tingkat untuk melihat beberapa beg.**
>
> (P45F dirujuk kepada saksi)
>
> Saya tidak ingat samada saya pernah lihat tempat dalam P45F. 4 atau 5 beg dibawa oleh pihak polis ke tempat dimana OKT1, OKT2 dan saya sedia berada. 4 atau 5 beg itu tidak termasuk beg bahu saya.

> **Di tempat saya ditangkap** saya nampak **beg-beg yang telah dibuka yang dibawa oleh polis.** Benar kandungan beg-beg tersebut kebanyakan pakaian-pakaian.

[25] SP9 (D/Kpl Krishnan) testified he did not know what happened to the bags, on which he had tied a ribbon, after they were placed on the conveyor belt at counter El4.

[26] SP9 had testified under cross-examination that the colour of the bags he had tied the ribbons were black. When P6 and P23 (the bags alleged to be that of 1st and 2nd accused) were shown to him, he said they were black in colour. But, he admitted, under further cross-examination, that the 3rd bag he had tied a ribbon was light blue (biru muda). However, C/I Azhar had testified that the bag was white in colour! The 3rd bag was never produced in court. It is purportedly the bag of the 3rd suspect, Seok Hann (SP10). SP10 testified that the bag he checked in was brown in colour! He testified in cross-examination.

> Betul, semasa saya beratur untuk check-in saya membawa 2 beg – satu atas bahu saya dan lagi satu saya pegang di tangan. Benar 2 beg ini saya hanya check-in beg pegang di tangan. **Beg itu berwarna coklat. Saya pasti itu bukan berwarna puteh atau biru muda.**

[27] At the Pejabat Narkotik, according to SP8's testimony, he informed the 1st and 2nd accused that he would conduct a physical body examination as well as an examination of their belongings and, that C/I Azhar would conduct a similar search on the 3rd suspect, Seok Hann (SP10).

[28] SP8 carried out a body search on the 1st accused. He did not recover any drugs on the person of the 1st accused. He found a key in the right trouser pocket of the 1st accused. He testified that he used the key to open the 1st accused's bag. He testified that after he had emptied the bag of its contents of clothes, and made a careful examination of the interior of the bag (P6), he found concealed, behind a layer of the interior of the bag which he had to cut open, 8 black plastic packages containing white powdery substance, which he suspected to be heroin. The gross weight of the 8 packages was 2.55kg. None of the clothes within the bag bore a name to associate with the accused. No documents were found within the bag to link the bag with the accused. However, attached to the handle of the bag was a computer generated airline baggage tag (P6A).

[29] SP8 then carried out a body search of the 2nd accused. He did not recover any drugs on the person of the accused. He then carried out an examination of a black bag "MORGAN" (P23). He emptied the bag of all its contents. There was nothing incriminating amongst the contents that was emptied off the bag. None of the clothes in the bag within the bag bore a name to associate with the 2nd accused. No documents were found within the bag to link the bag with the accused. Nevertheless, attached to the handle of the bag was a computer generated airline baggage tag (P23A). SP8 examined the bag thoroughly and he noticed stitches on the outer back portion of the bag. He took a knife and cut the stitches. He recovered 6 black plastic packages containing substance suspected to be heroin and the gross weight of the 6 packages was 2.55kg.

[30] SP8 testified that the suspected drug heroin found in the two bags cannot be seen with the naked eyes, upon the bags being opened. He testified:

> Bahan-bahan yang disyaki dadah dalam kedua-dua beg tersebut tidak boleh dilihat dengan mata kasar ketika beg-beg tersebut dibuka.

[31] There was no evidence at all, that the packages suspected to contain drugs, found in the bags P6 and P23, had been concealed by the 1st or 2nd accused, respectively. There were no finger prints of either the 1st or 2nd accused on any of the packages found in P6 or P23.

[32] There was no witness from MAS and/or the authority managing KLIA called by the prosecution to prove the aspect of physical checking-in of the bags of passengers on flight MH020, particularly, the purported check-in of bags P6 and P23 by the 1st and 2nd accused, as well as the bag of Seok Hann (SP10). Therefore, the computer generated documents, namely, the baggage tags P6A, P23A and the respective baggage claim tags P16A and P31A, cannot be admitted in evidence unless s. 90A Evidence Act 1950 is complied with by the prosecution. No certificate was tendered to the court signed by a person who either before or after the production of the documents by the computer was responsible for the management of the operation of that computer, or for the conduct of the activities for which that computer was used. In the circumstances, I hold that P6A, P23A,

P16A and P31A are inadmissible in evidence. Therefore, there is no admissible evidence before this court that the bags P6 and P23 were in fact the very same bags checked-in by the 1st and 2nd accused, respectively, at the Main Terminal Building and subsequently recovered/seized/detained by C/I Azhar (SP7) and/or SP8 at the Satellite Building.

[33] At the close of the prosecution's case, there was no admissible evidence that the bags P6 and P23 were in the custody and control of the 1st and 2nd accused, either at the time they were arrested by SP8 at the departure Gate C14, or at any time before the bags were checked-in. It is pertinent to observe that the facts of the prosecution's case clearly show, that at the time of their arrest, neither 1st accused nor 2nd accused had physical possession of P6 and P23 and that neither of them had made any claim to possession of P6 and P23 from the carrier on which they were scheduled to depart, at any time before they were arrested.

[34] As the prosecution have failed to adduce *prima facie* evidence that the 1st and 2nd accused had custody and control of the bags P6 and P23 respectively, it follows that the prosecution have failed to establish possession of the dangerous drugs found in the secret compartments of the respective bags seized by the police at the Satellite Building, KLIA.

[35] In the above circumstances, the 1st and 2nd accused are acquitted and discharged, on the respective charge against them, without their defence being called.